Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant

Ent 486355 Bk 729 Pg 379 -39/ Date: 27-MAY-2008 10:25AM Fee: None Filed By: PL MERLENE MOSHER DALTON, Recorder GRAND COUNTY CORPORATION For: STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Grand County as it pertains to the highway located in Grand County known as VALLEY CITY ROAD; County Road Number: 00144; State Geographic Information Database (SGID) Road Identification Number: RD100043. Total road length is 7.94 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

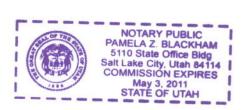
Signed by my hand in Salt Lake City, Utah, the 22 day of may , 200 8.

By the Governor's Designee

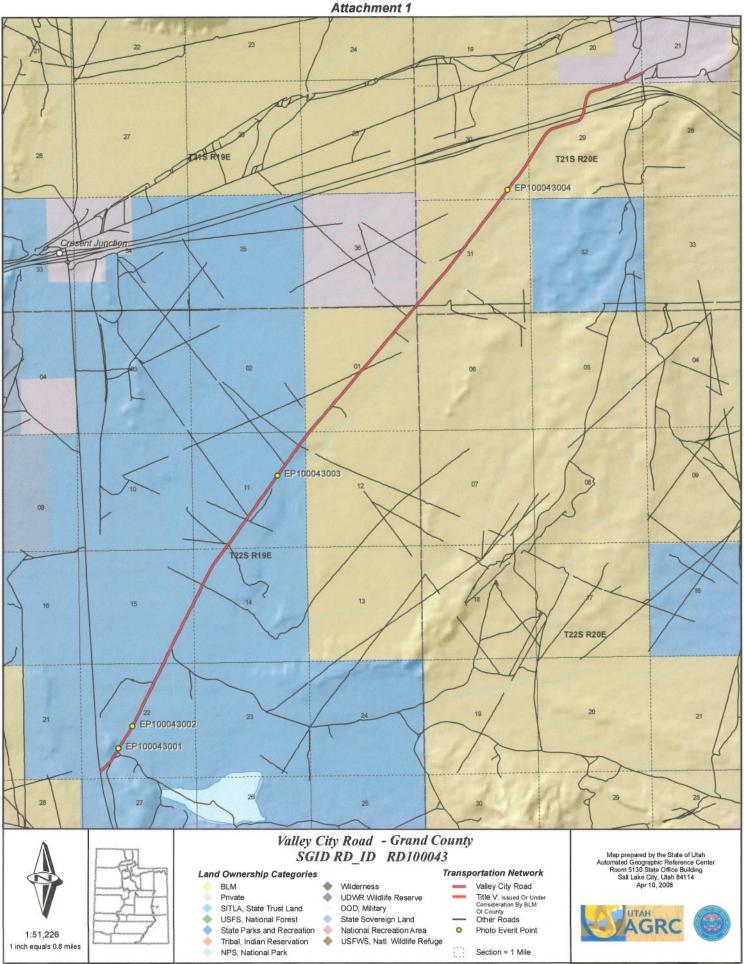
CERTIFICATION

State of Utah)	
	:	SS
County of Salt Lake)	

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.



Dated this 22 day of May, 200 8. Pamela Z. Blacklau Notary Public



Attachment 1









EP000000000

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Valley City Road - Grand County
SGID RD_ID RD100043
Map prepared by the State of Utah

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Satt Lake City, Utah 84114 April 14, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: VALLEY CITY ROAD

County: Grand

County Road Number: 00144

State Geographic Information Database (SGID) Road Identification Number: RD100043.

Total Road Length: 7.94 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 52 minutes 36.45 seconds North Latitude and -109 degrees 48 minutes 44.54 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,120,872.3 feet and Y = 6,764,152.5 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 57 minutes 52.69 seconds North Latitude and -109 degrees 43 minutes 20.49 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,145,859.6 feet and Y = 6,796,637.9 feet based on the US Survey Foot conversion.

This road may traverse:

Township 21 South Range 19 East, Section(s) 36, Salt Lake Base & Meridian Township 21 South Range 20 East, Section(s) 20,21,29,30,31, Salt Lake Base & Meridian Township 22 South Range 19 East, Section(s) 1,11,12,14,15,22, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: VALLEY CITY ROAD

County: Grand

County Road Number: 00144

State Geographic Information Database (SGID) Road Identification Number: RD100043.

Total Road Length: 7.94 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD100043	001	ST	3.46 Miles	(not shown)
RD100043	002	BLM	1.5 Miles	A
RD100043	003	PVT	0.05 Miles	(not shown)
RD100043	004	BLM	2.69 Miles	В
RD100043	005	PVT	0.24 Miles	(not shown)
		Total Road Length	7.94	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF JAMES D. NYLAND, SR.

VALLEY CITY ROAD

COUNTY ROAD NUMBER 00144

GRAND COUNTY, UTAH

State of Utah)
	: SS
County of Grand)

JAMES D. NYLAND, SR. being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Grand County for 50 years. I have been the Grand County Sheriff since 1978.
- 2. I have traveled and am familiar with a road in Grand County known as Valley City Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 2007 when I last observed it. Attached is a Grand County map showing Valley City Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
- 3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including Grand County road equipment, cars, ATVs, trucks and jeeps.

Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2007.

- 4. Throughout the time period from the early 1960s to 2007, I have used the road myself for hunting, law enforcement, propane fuel delivery, livestock operations traveling in and through the area and recreation.
- 5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus mining, farming, prospecting for minerals, tourism, oil and gas exploration and biking.
- 6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 7. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

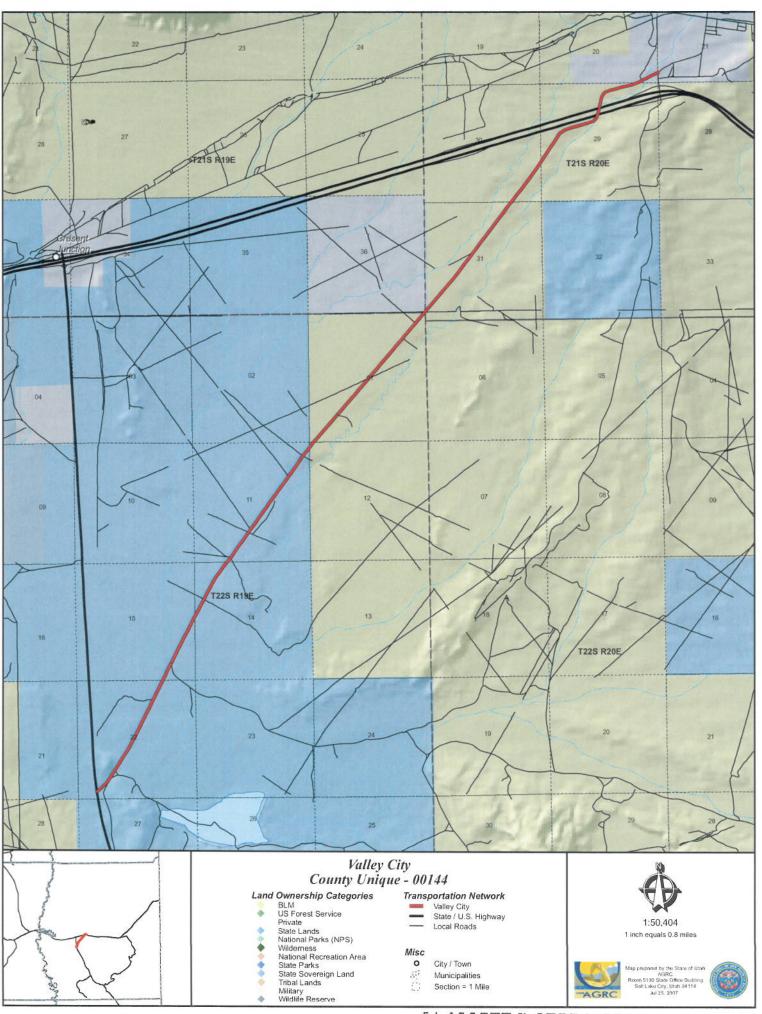
Dated this O2 day of August, 2007.

JAMES D. NYLAND. SR

SUBSCRIBED AND SWORN to before me this 2 day of August, 2007.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

MOTARY PUBLIC



AFFIDAVIT OF JERRY McNEELY

VALLEY CITY ROAD

GRAND COUNTY, UTAH

ROAD NUMBER 00144

State of Utah)
	: ss.
County of Grand)

JERRY McNEELY, being first duly sworn, deposes and states as follows:

- 1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Moab, Grand County, Utah. I have lived in Grand County since 1945. My Great-Grandfather settled in the Moab Valley in the late 1800s. I have been a Grand County Council member since 2001.
- 2. I have traveled and am familiar with a road in Grand County known as Valley City Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s it followed the same route as in 2007 when I last observed it.

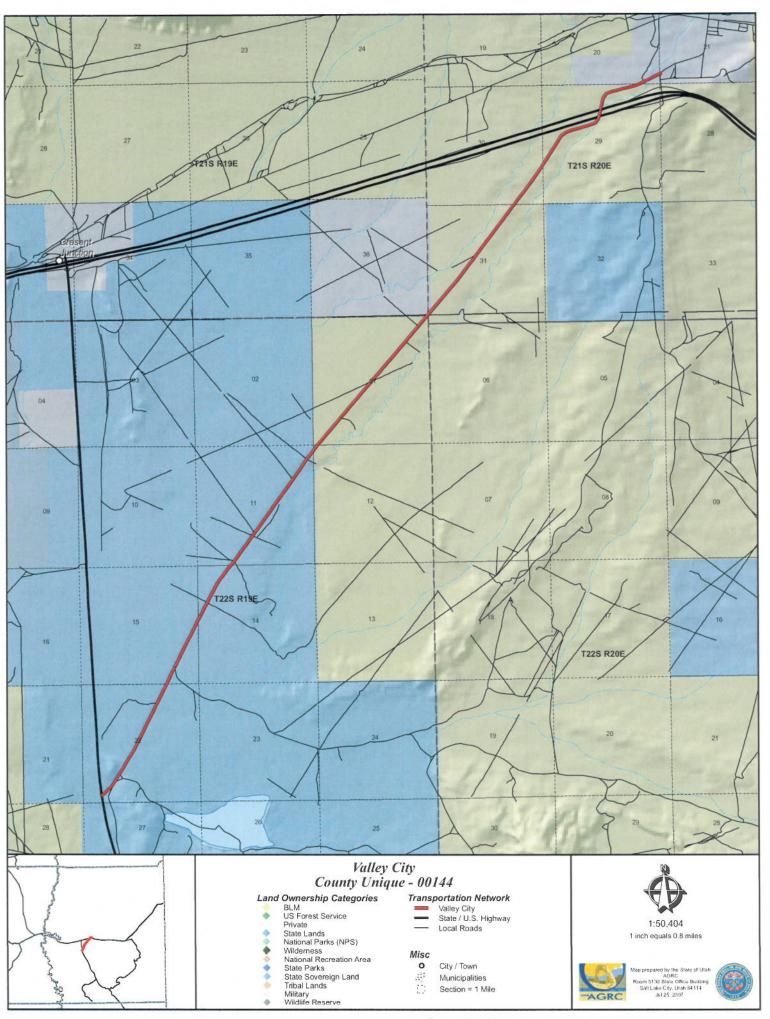
 Attached is a Grand County map showing Valley City Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
 - 3. The County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 2007. Throughout this time period I observed travel on the road by means of jeeps, mountain bikes, pickup trucks and ATVs. During this time period, the road was used daily for more than ten continuous years prior to 1976 and was so used in 2007.
- 5. Throughout the time period from the early 1960s to 2007, I used the road myself for my employment with a land surveyor, hunting and recreation.

- 6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus, livestock operations, wood gathering, prospecting for minerals, rock hounding, mining, oil and gas exploration and development and sightseeing.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
- 8. Prior to 1976, I observed the graded surface of the road and other evidence of maintenance and construction activities such as berms along the side of the road.

DATED this day of August, 2007.

SUBSCRIBED AND SWORN to before me this day of August, 2007.

Notary Public GLORIA SCHRADER



Appendix A to Attachment 4

Popular Name: VALLEY CITY ROAD

County: Grand

County Road Number: 00144

State Geographic Information Database (SGID) Road Identification Number: RD100043.

Road-Segment Number: 002

Road-Segment Length: 1.5 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 22 South Range 19 East, Section(s) 1,12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (VALLEY CITY ROAD)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 55 minutes 8.3 seconds North Latitude and -109 degrees 46 minutes 41.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,130,306.7 feet and Y = 6,779,698.3 feet; thence the following courses along the said road center line:

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thence North 38 Degrees 22 Minutes 55 Seconds East thence North 39 Degrees 40 Minutes 31 Seconds East thence North 39 Degrees 40 Minutes 36 Seconds East 305.3 feet thence North 40 Degrees 02 Minutes 25 Seconds East thence North 40 Degrees 07 Minutes 34 Seconds East 316.6 feet thence North 40 Degrees 04 Minutes 16 Seconds East 311.2 feet thence North 39 Degrees 47 Minutes 48 Seconds East 311.2 feet thence North 39 Degrees 00 Minutes 42 Seconds East 40.9 feet thence North 40 Degrees 55 Minutes 31 Seconds East 268.8 feet thence North 40 Degrees 01 Minutes 03 Seconds East 307.9 feet thence North 39 Degrees 45 Minutes 53 Seconds East 308.9 feet
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thence North 39 Degrees 58 Minutes 56 Seconds East 305.6 feet
thence North 39 Degrees 39 Minutes 25 Seconds East 304.1 feet
thence North 39 Degrees 42 Minutes 15 Seconds East 308.6 feet
thence North 40 Degrees 09 Minutes 41 Seconds East 308.6 feet
thence North 39 Degrees 35 Minutes 29 Seconds East 27.8 feet
thence North 39 Degrees 58 Minutes 43 Seconds East 284.1 feet
thence North 40 Degrees 03 Minutes 13 Seconds East 321 feet
thence North 40 Degrees 09 Minutes 59 Seconds East 323.7 feet
thence North 40 Degrees 12 Minutes 33 Seconds East 330.4 feet
thence North 40 Degrees 14 Minutes 42 Seconds East 321.9 feet
thence North 39 Degrees 58 Minutes 54 Seconds East 316.3 feet
thence North 40 Degrees 07 Minutes 12 Seconds East 314.8 feet
thence North 39 Degrees 59 Minutes 56 Seconds East 165.7 feet
thence North 40 Degrees 22 Minutes 45 Seconds East 149.4 feet
thence North 39 Degrees 54 Minutes 32 Seconds East 309.6 feet
thence North 40 Degrees 02 Minutes 02 Seconds East 292.9 feet
thence North 40 Degrees 01 Minutes 26 Seconds East 140 feet
thence North 40 Degrees 01 Minutes 25 Seconds East 127 feet
thence North 39 Degrees 56 Minutes 16 Seconds East 243 feet
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thence North 39 Degrees 34 Minutes 48 Seconds East 245.3 feet more or less to **the ending point at:** 38 degrees 56 minutes 7.2 seconds North Latitude and -109 degrees 45 minutes 35.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,135,376.2 feet and Y = 6,785,756.0 feet.

Appendix B to Attachment 4

Popular Name: VALLEY CITY ROAD

County: Grand

County Road Number: 00144

State Geographic Information Database (SGID) Road Identification Number: RD100043.

Road-Segment Number: 004

Road-Segment Length: 2.69 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 21 South Range 20 East, Section(s) 29,30,31, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (VALLEY CITY ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 56 minutes 09.12 seconds North Latitude and -109 degrees 45 minutes 033.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,135,543.8 feet and Y = 6,785,954.3 feet; thence the following courses along the said road center line:

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thence North 40 Degrees 15 Minutes 57 Seconds East 39 feet thence North 40 Degrees 09 Minutes 54 Seconds East 284.8 feet thence North 40 Degrees 25 Minutes 12 Seconds East 285.9 feet thence North 40 Degrees 32 Minutes 34 Seconds East 288.6 feet thence North 40 Degrees 22 Minutes 11 Seconds East 294.4 feet thence North 40 Degrees 25 Minutes 40 Seconds East 294.6 feet thence North 39 Degrees 58 Minutes 59 Seconds East 294.8 feet thence North 39 Degrees 12 Minutes 32 Seconds East 302.2 feet thence North 37 Degrees 05 Minutes 30 Seconds East 303.7 feet thence North 36 Degrees 48 Minutes 42 Seconds East 306.7 feet thence North 36 Degrees 48 Minutes 29 Seconds East 310.8 feet
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thence North 36 Degrees 46 Minutes 25 Seconds East 273.7 feet
thence North 35 Degrees 39 Minutes 13 Seconds East 32.4 feet
thence North 36 Degrees 56 Minutes 39 Seconds East 301.1 feet
thence North 36 Degrees 46 Minutes 53 Seconds East 304.5 feet
thence North 36 Degrees 44 Minutes 49 Seconds East 304.4 feet
thence North 36 Degrees 56 Minutes 19 Seconds East 305.2 feet
thence North 36 Degrees 51 Minutes 56 Seconds East 309 feet
thence North 36 Degrees 56 Minutes 46 Seconds East 321.7 feet
thence North 36 Degrees 38 Minutes 51 Seconds East 326.6 feet
thence North 37 Degrees 09 Minutes 06 Seconds East 320.5 feet
thence North 37 Degrees 05 Minutes 49 Seconds East 276.1 feet
thence North 37 Degrees 06 Minutes 26 Seconds East 40.1 feet
thence North 36 Degrees 44 Minutes 40 Seconds East 318.8 feet
thence North 36 Degrees 40 Minutes 50 Seconds East 314.4 feet
thence North 36 Degrees 34 Minutes 08 Seconds East 307.8 feet
thence North 37 Degrees 01 Minutes 16 Seconds East 307.6 feet
thence North 35 Degrees 52 Minutes 04 Seconds East 309.1 feet
thence North 34 Degrees 29 Minutes 02 Seconds East 311.8 feet
thence North 32 Degrees 29 Minutes 24 Seconds East 311.2 feet
thence North 32 Degrees 26 Minutes 38 Seconds East 5.2 feet
thence North 32 Degrees 21 Minutes 53 Seconds East 313.9 feet
thence North 32 Degrees 05 Minutes 21 Seconds East 309.1 feet
thence North 32 Degrees 22 Minutes 31 Seconds East 312 feet
thence North 32 Degrees 11 Minutes 43 Seconds East 303.6 feet
thence North 34 Degrees 12 Minutes 20 Seconds East 286.8 feet
thence North 53 Degrees 17 Minutes 22 Seconds East 276.7 feet
thence North 73 Degrees 01 Minutes 35 Seconds East 275.1 feet
thence North 72 Degrees 46 Minutes 11 Seconds East 282.3 feet
thence North 72 Degrees 52 Minutes 45 Seconds East 284.1 feet
thence North 73 Degrees 51 Minutes 55 Seconds East 265.2 feet
thence North 68 Degrees 50 Minutes 47 Seconds East 230.8 feet
thence North 41 Degrees 09 Minutes 04 Seconds East 203.7 feet
thence North 17 Degrees 59 Minutes 17 Seconds East 133.1 feet
thence North 18 Degrees 41 Minutes 57 Seconds East 13.9 feet
thence North 19 Degrees 27 Minutes 49 Seconds East 1.7 feet
thence North 18 Degrees 00 Minutes 42 Seconds East 74.3 feet
thence North 11 Degrees 23 Minutes 47 Seconds East 222.9 feet
thence North 06 Degrees 30 Minutes 27 Seconds East 1.7 feet
thence North 11 Degrees 05 Minutes 49 Seconds East 30.1 feet
thence North 12 Degrees 42 Minutes 53 Seconds East 254.3 feet
thence North 13 Degrees 07 Minutes 19 Seconds East 237.9 feet
thence North 32 Degrees 13 Minutes 45 Seconds East 231.7 feet
thence North 67 Degrees 37 Minutes 10 Seconds East 249.2 feet
thence North 75 Degrees 09 Minutes 42 Seconds East 268.6 feet
thence North 75 Degrees 43 Minutes 12 Seconds East 279.2 feet
thence North 74 Degrees 52 Minutes 47 Seconds East 289.3 feet
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thence North 74 Degrees 33 Minutes 22 Seconds East 279 feet more or less to **the ending point at:** 38 degrees 57 minutes 047.4 seconds North Latitude and -109 degrees 43 minutes 35.31 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 2,144,699.4 feet and Y = 6,796,078.7 feet.